

104TH CONGRESS
1ST SESSION

S. 1446

To amend the Inspector General Act of 1978 (5 U.S.C. App.) to establish an Inspector General of the Administrative Office of the United States Courts, and for other purposes.

IN THE SENATE OF THE UNITED STATES

DECEMBER 5, 1995

Mr. MCCAIN introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To amend the Inspector General Act of 1978 (5 U.S.C. App.) to establish an Inspector General of the Administrative Office of the United States Courts, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Inspector General of
5 the Administrative Office of the United States Courts Act
6 of 1995”.

1 **SEC. 2. INSPECTOR GENERAL OF THE ADMINISTRATIVE OF-**
 2 **FICE OF THE UNITED STATES COURTS.**

3 (a) SPECIAL PROVISION RELATING TO APPOINT-
 4 MENT.—The Inspector General Act of 1978 (5 U.S.C.
 5 App.) is amended—

6 (1) by redesignating section 8G (relating to re-
 7 quirements for Federal entities and designated Fed-
 8 eral entities) and section 8G (relating to rule of con-
 9 struction of special provisions) as sections 8H and
 10 8I, respectively; and

11 (2) by inserting after section 8F the following
 12 new section:

13 “SPECIAL PROVISIONS CONCERNING THE ADMINISTRA-
 14 TIVE OFFICE OF THE UNITED STATES COURTS

15 “SEC. 8G. The Judicial Conference of the United
 16 States shall submit a list of individuals for nomination as
 17 Inspector General of the Administrative Office of the
 18 United States Courts to the President. The President shall
 19 appoint an individual, in accordance with section 3(a),
 20 from such list to serve as the Inspector General of the
 21 Administrative Office of the United States Courts.”.

22 (b) TRANSFER OF FUNCTIONS.—Section 9(a)(1) of
 23 the Inspector General Act of 1978 is amended by inserting
 24 after subparagraph (W) the following new subparagraph:

25 “(X) of the Administrative Office of the
 26 United States Courts, the office of the Adminis-

1 trative Office of the United States Courts re-
2 ferred to as the ‘Office of Audit’; and”.

3 (c) ESTABLISHMENT.—Section 11 of the Inspector
4 General Act of 1978 is amended—

5 (1) in paragraph (1) by inserting “the Director
6 of the Administrative Office of the United States
7 Courts;” before “or the Commissioner of Social Se-
8 curity, Social Security Administration”; and

9 (2) in paragraph (2) by striking out “, or the
10 Veterans’ Administration,” and inserting in lieu
11 thereof “, the Veterans’ Administration, the Admin-
12 istrative Office of the United States Courts,”.

13 (d) EXECUTIVE SCHEDULE POSITION.—Section
14 5316 of title 5, United States Code, is amended by adding
15 at the end thereof the following:

16 “Inspector General, Administrative Office of the
17 United States Courts.”.

18 (e) TECHNICAL AND CONFORMING AMENDMENTS.—
19 The Inspector General Act of 1978 is amended—

20 (1) in section 4(b)(2)—

21 (A) by striking out “section 8F(a)(2), and
22 any audit office established within a Federal
23 entity defined under section 8F(a)(1)” and in-
24 serting in lieu thereof “section 8H(a)(2) and

1 any audit office established within a Federal
2 entity defined under section 8H(a)(1)”; and

3 (B) by striking out “section 8F(a)(2).”
4 and inserting in lieu thereof “section
5 8H(a)(2).”;

6 (2) in section 6(a)(8) by striking out “the
7 equivalent rate prescribed for grade GS–18 of the
8 General Schedule by section 5332” and inserting in
9 lieu thereof “the maximum rate payable for a posi-
10 tion above GS–15 of the General Schedule under
11 section 5108”; and

12 (3) in section 8I (as redesignated by subsection
13 (a)(1) of this section and relating to rule of con-
14 struction of special provisions)—

15 (A) by striking out “section 8, 8A, 8B, 8C,
16 8D or 8E of this Act” and inserting in lieu
17 thereof “section 8, 8A, 8B, 8C, 8D, 8E, 8F, or
18 8G of this Act”; and

19 (B) by striking out “section 8F(a)” and
20 inserting in lieu thereof “section 8H(a)”.

1 **SEC. 3. APPLICATION OF FOIA AND PRIVACY PROVISIONS**
2 **TO THE ADMINISTRATIVE OFFICE OF THE**
3 **UNITED STATES COURTS.**

4 For purposes of sections 552, 552a, and 552b of title
5 5, United States Code, the Administrative Office of the
6 United States Courts is an agency.

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